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JAN 10 2006
51023/072
cc Tom

DIV. OF OIL, GAS & MINING

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, Utah 84631



In Reply Refer to:

3800/3600

(UT-010)

UTU-078296

UTU-079839

January 10, 2006

CERTIFIED MAIL #7003 2260 0005 6850 0578
RETURN RECEIPT REQUESTED

LOY CRAPO
350 E 300 S
DELTA UT 84624

Dear Mr. Crapo,

On March 28, 2001, your exploration notice for T. 14 S., R. 10 W. section 27 was accepted by this office. At the time the notice was accepted you were informed that the material you were interested in was considered a "common variety" stone and that mining the stone would require a sale. On October 1, 2002 your request for negotiated sale was received. During the processing of the negotiated sale it was discovered the location of the pit developed during exploration was in section 28 rather than section 27 as described in the notice. The location was to be corrected in the sale contract. On March 28, 2003 the exploration notice expired. On July 11, 2003 you were sent a letter instructing you to post a bond and complete the negotiated sale. On June 14, 2004 you were notified to complete the sale or begin reclamation within thirty days. After receiving a telephone call from you I extended the time for you to complete the sale, however you failed to complete the sale and the sale application was terminated.

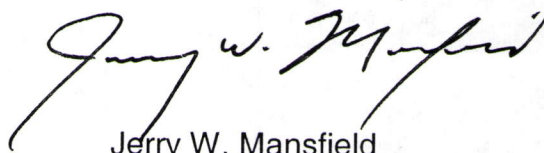
On December 15, 2005 I received your letter requesting another sale of stone from the site of your former notice and negotiated sale application. In beginning the processing of the new sale I find that, in addition to your placer claim on the lands involved, there are now lode claims held by Mr. Dale Rogers UMC 377990 through UMC377993.

The regulations, 43 CFR 3601.14 authorize the Bureau of Land Management to dispose of mineral materials on lands with unpatented mining claims, if such disposal does not endanger or materially interfere with prospecting, mining, or processing operations, or uses reasonably incident thereto. However, in order to initiate a sale where unpatented mining claims exist the claimant must sign a waiver indicating the operation will not endanger or interfere, or it must be determined that the disposal is in the public interest. To be in the public interest the estimated benefits to be derived must exceed the aggregate estimated damage to public lands and resources. I have contacted Mr. Rogers and he seems reluctant

to sign a waiver. Also, I am not convinced that the sale would be in the public interest as defined above. This being the case I cannot proceed further with processing the proposed sale.

In order to proceed with a sale from the site I will need you to prepare a preliminary or draft mine plan present it to Mr. Rogers. If Mr. Rogers decides that the disposal (sale) operations, with any modifications as needed, would not interfere with his prospecting, mining or processing and he signs a waiver (example included), then I would be able to continue processing the proposed sale. If you are unable to secure the waiver you will need to complete reclamation of the disturbance that took place under your notice. Please contact me at (435) 743-3125 within thirty days to inform me how you wish to proceed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry W. Mansfield". The signature is fluid and cursive, with the first name "Jerry" being the most prominent part.

Jerry W. Mansfield
Geologist

Enclosure:

Example Waivier

cc: Tom Munson, UDOGM (S/023/072)
Dale Rogers, PO Box 668, Milford, UT 84751